

## CRIMINAL COMPLAINT AFFIDAVIT

I, Robert C. McPhail, your affiant, being duly sworn and deposed, state the following:

1. I am a Task Force Officer (TFO) with the U. S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and I have been so designated for approximately one (1) year. I have been employed by the Springfield Police Department as an Officer for the past 20 years, and I am currently assigned to the Violent Crimes Unit at the Springfield, Missouri Police Department. I have conducted and participated in numerous investigations concerning the illegal possession of firearms.
2. As a result of my training and experience as an ATF Task Force Officer, I am familiar with federal criminal laws and know that it is a violation of:

Title 18 USC § 922 (g)(1), making it a felony for anyone who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year, to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

3. This affidavit is made for the limited purpose of establishing probable cause in support of a Criminal Complaint alleging that Scott Goodwin-Bey participated in the criminal offense of being a Previously Convicted Felon in Possession of a Firearm and Ammunition, in violation of Title 18 U.S.C. § 922(g)(1). Since this Affidavit is for the limited purpose of establishing probable cause to support the Criminal Complaint, it contains only a summary of relevant facts. I have not included each and every fact known to me concerning the entities, individuals, and the events described in this Affidavit.
4. Scott Goodwin-Bey is further identified as:

Goodwin-Bey, Scott A.	Black male	6' 2"/180 lbs.
DOB: 06/24/1967	Black hair	Brown eyes
SSN: 495-80-3118	MO SID 00633812	FBI# 831081HA5

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5. As part of this investigation, I obtained records from the United States District Court in the Western District of Missouri pertaining to Goodwin-Bey's felony conviction for conspiracy to distribute a controlled substance. According to those documents, Goodwin-Bey was sentenced to 48 months incarceration to the United States Bureau of Prisons on November 19, 1997. Goodwin-Bey was later sentenced to 70 months' imprisonment on October 21, 2008, after being convicted of being a felon in possession of a firearm
6. Goodwin-Bey has also been convicted of possession of cocaine base, unlawful use of a weapon, on two occasions, and resisting arrest under the laws of the State of Missouri. Each of these offenses is punishable by terms of imprisonment exceeding one year.
7. On November 30, 2014, Springfield Police Officers responded to 3905 W. Chestnut Expressway, Star-Mart convenience store, in reference to a suspicious subject displaying a firearm. J.T., an employee of the Star Mart, reported that Goodwin-Bey displayed a firearm that had been concealed inside his clothes. When Goodwin-Bey displayed the firearm J.T. grabbed the gun from Goodwin-Bey's hand and placed it inside the store. Goodwin-Bey left the store in a white Lincoln Continental. Springfield Police Sergeant John Laub conducted an investigative traffic stop on a white Lincoln Continental driven by Goodwin-Bey. Springfield Police Officer Jennifer Sandage transported J.T. to the traffic stop where he identified Goodwin-Bey as the subject he disarmed. Goodwin-Bey was arrested for the state charge of unlawful possession of a firearm. Officer Sandage seized 12 rounds of Perfecta ammunition from the firearm and the magazine located inside the magazine well.
8. The firearm J.T. seized from Goodwin-Bey is described as:  
Ruger P89DC model 9mm pistol serial number 303-56600. This firearm was reported stolen by Ozark Missouri Police Department on July 22, 2014. ATF Special Agent Brian Fox, an Interstate Nexus Expert, confirmed that the firearm was not manufactured in the State of Missouri.
9. Upon conducting an inventory of the vehicle incident to towing, Officer Sandage

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documented in her report she observed numerous rounds of unfired ammunition in the vehicle.

10. Based upon the above information, your affiant believes that on November 30, 2014, Scott A. GOODWIN-BEY illegally possessed a firearm that had moved in or affected interstate commerce, after having been convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18 U.S.C. § 922 (g)(1).

s/ Robert C. McPhail \_\_\_\_\_

**ROBERT C. MCPHAIL**

Task Force Officer

Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn to and subscribed to me this **1st**<sup>day</sup> of **December 2014** and I find that probable cause exists.

s/ David P. Rush \_\_\_\_\_

**DAVID P. RUSH**

United States Magistrate Judge